

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In Re: ) In Proceedings Under Chapter 9  
 ) Hon. Kathy Surratt-States  
LAKESIDE 370 LEVEE DISTRICT, )  
 )  
Debtors. ) Case No. 14-46094-659  
 ) #6, #7 8/11  
 ) **ORDER**

On this 11<sup>th</sup> day of August, 2014 came for hearing the following matters filed by Debtor: (a) ***Debtor's Request for Expedited Consideration Motion to Enforce Automatic Stay and Provisions of 11 U.S.C. §922 Directed to Collector of Revenue of St. Charles County*** (the "Request"); and (b) ***Motion to Enforce Automatic Stay and Provisions of 11 U.S.C. §922 Directed to Collector of Revenue of St. Charles County*** (the "Motion"). Upon due consideration of the record as a whole, the argument of the parties, good and sufficient cause having been shown, the Court finds that Debtor is entitled to the relief requested. Therefore:

**IT IS HEREBY ORDERED** that the form and manner of service of the Request and the Motion, as well as the notice of the hearing were appropriate under the circumstance;


**IT IS FURTHER AND HEREBY ORDERED** that the Request is **GRANTED**;

**IT IS FURTHER AND HEREBY ORDERED** that the Motion is **GRANTED** in that:

- A. Assessments levied by Debtor pursuant to applicable laws of the State of Missouri (hereinafter, the "District Assessments"), and Debtor's rights in and to the District Assessments, constitute property of the Debtor which the Debtor alone may collect;

- B. The provisions of 11 U.S.C. §§ 362 and 922 prevent the Collector of Revenue for St. Charles County (the "Collector") from conducting any sale of any real estate within the District for the purpose of collecting delinquent District Assessments. The Collector is hereby ordered to cancel any such sale and is hereby enjoined from and prohibited by 11 U.S.C. §§ 362 and 922 from conducting any such sale;
- C. The provisions of 11 U.S.C. §§ 362 and 922 prevent the Collector from enforcing any lien for unpaid real estate taxes upon any property owned by the Debtor and the Collector is hereby enjoined from and prohibited from enforcing any such lien; and
- D. With respect to tax years 2013 and prior, the Collector is hereby authorized and directed to accept payments for unpaid ad valorem real estate taxes and all other Special Assessments not levied by the Debtor billed on the real estate tax bill, interest thereon, and any statutorily prescribed penalty from any owner of real estate within the Lakeside 370 Levee District and to apply said payments solely to any outstanding ad valorem real estate taxes and all other Special Assessments not levied by the Debtor billed on the real estate tax bill for tax years 2013 and prior, if so requested by the taxpayer, without regard to whether said owner is current or delinquent in its Lakeside 370 District Assessments.

**SO ORDERED:**

  
KATHY A. SURRATT-STATES  
Chief United States Bankruptcy Judge

DATED: August 11, 2014  
St. Louis, Missouri  
jjh

Order Prepared by:

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